

CUSTOMER NO.: 24498
Ser. No. 09/830,900

PATENT
RCA 89,269

Remarks/Arguments

Claims 1-34 are pending in this application. Claims 12-31 are allowed. Claims 1, 32 and 34 are amended herein to more clearly and distinctly claim the subject matter that Applicants regard as their invention. No new matter is believed to be added by the amendment.

Rejection of claims 1-11 and 32-34 under 35 U.S.C. §112, second paragraph

Applicants submit that claims 1-11 and 32-34 are definite under 35 U.S.C. §112, second paragraph for at least the following reasons.

In claim 1, the Examiner alleges that the phrase "may be" is indefinite. To rectify this matter, this phrase is replaced with the phrase "adapted to be." In claim 32, the Examiner alleges that the phrase "determining transport packets that comprise the plurality of transport packets" is indefinite. To rectify this matter, this phrase is replaced with the phrase "filtering the plurality of transport packets." In claim 34, the Examiner alleges that there is no antecedent basis for "the location step." To rectify this matter, the phrase "wherein the locating step comprises" is replaced with the phrase "further comprising the step of locating." In view of these amendments, claims 1-11 and 32-34 are believed to be definite under 35 U.S.C. §112, second paragraph, and withdrawal of the rejection is respectfully requested.

Rejection of claim 32 under 35 U.S.C. §102(e) as being anticipated by Na et al. (U.S. Patent No. 6,366,731)

Applicants submit that claim 32 is patentably distinguishable over Na et al. for at least the following reasons.

Independent claim 32 is amended herein to include the step of:

"filtering the plurality of transport packets in the payload data portion on a picture by picture basis without decoding video data in the plurality of transport packets in response to the application header portion."

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Applicants have reviewed the teachings of Na and submit that Na et al. provides absolutely no teaching or suggestion of such a feature. Moreover, a similar feature is recited in independent claims 12 and 22 which have already been allowed by the Examiner. Accordingly, claim 32 as amended is believed to be patentable over Na et al. under 35 U.S.C. §102(e), and withdrawal of the rejection is respectfully requested.

Rejection of claim 34 under 35 U.S.C. §103(a) as being unpatentable over Na et al. (U.S. Patent No. 6,366,731) in view of Suzuki (U.S. Patent No. 5,751,156)

Applicants submit that claim 34 is patentably distinguishable over the proposed combination of references since Suzuki is unable to remedy the deficiencies of Na et al. In particular, Suzuki fails to teach or suggest, *inter alia*, "filtering the plurality of transport packets in the payload data portion on a picture by picture basis without decoding video data in the plurality of transport packets in response to the application header portion" as recited in independent claim 32, from which claim 34 depends. The office action does not suggest that Suzuki discloses this feature. Accordingly, claim 34 is deemed patentable over the proposed combination of references under 35 U.S.C. §103(a), and withdrawal of the rejection is respectfully requested.

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Conclusion

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (609) 734-6815, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,
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